

NOTICE OF OBJECTION TO CONFIRMATION

CALIBER HOME LOANS, INC. has filed papers with the Court to object to the Confirmation of the Chapter 13 Modified Plan.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to object to the Confirmation of the Chapter 13 Modified Plan, or if you want the Court to consider your views on the Objection, then on or before 07/09/2020, you or your attorney must:

1. File with the Court an answer, explaining your position at:

**Clerk  
U.S. Bankruptcy Court  
50 Walnut Street, 3rd Floor  
Newark, NJ 07102**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC  
1617 JFK Boulevard, Suite 1400  
Philadelphia, PA 19103

MARIE-ANN GREENBERG, Trustee  
Chapter 13 Standing Trustee  
30 TWO BRIDGES ROAD SUITE 330  
FAIRFIELD, NJ 07004

2. Attend the hearing scheduled to be held on 07/16/2020 in the NEWARK Bankruptcy Court, at the following address:

**U.S. Bankruptcy Court  
50 Walnut Street, 3rd Floor  
Newark, NJ 07102**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: June 23, 2020

/s/ Melanie Grimes  
Melanie Grimes, Esq.  
Phelan Hallinan Diamond & Jones, PC  
1617 JFK Boulevard, Suite 1400  
Philadelphia, PA 19103  
Tel: 856-813-5500 Ext. 46245  
Fax: 856-813-5501  
Email: Melanie.Grimes@phelanhallinan.com

**File No. 838641**

Phelan Hallinan Diamond & Jones, PC  
1617 JFK Boulevard  
Philadelphia, PA 19103  
856-813-5500  
FAX Number 856-813-5501  
CALIBER HOME LOANS, INC.

In Re:  
GARAN DICKSON  
  
Debtor

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY  
NEWARK VICINAGE

Chapter 13

Case No. 18-30619 - VFP

Hearing Date: 07/16/2020

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, CALIBER HOME LOANS, INC., the holder of a Mortgage on Debtor's residence located at 88 HILLSIDE AVENUE, WEST ORANGE, NJ 07052-4507 hereby objects to the Confirmation of the Debtor's proposed Chapter 13 Modified Plan on the following grounds:

1. On December 13, 2018, Movant filed a Proof of Claim listing a total debt in the amount of \$418,112.57.
2. On October 3, 2019, Movant filed a Notice of Mortgage Payment Change, reflecting a regular monthly mortgage payment amount of \$3,723.88, effective November 1, 2019.
3. Debtor's Modified Plan provides that "[f]orbearance and regular payments to be paid as billed after deferment period," but does not state the specific amount of regular monthly mortgage payments to be made directly to Movant.

4. Debtor's Modified Plan fails to provide for the current on-going, post-petition regular monthly mortgage payment amount. Movant objects to any amount less than 100% of what is required under the terms of the loan documents.
5. Debtor's Modified Plan should be amended to indicate the correct post-petition monthly payment amount owed to Movant or Confirmation should be denied.

WHEREFORE, CALIBER HOME LOANS, INC. respectfully requests that the Confirmation of Debtor's Modified Plan be denied.

/s/ Melanie Grimes  
Melanie Grimes, Esq.  
Phelan Hallinan Diamond & Jones, PC  
1617 JFK Boulevard, Suite 1400  
Philadelphia, PA 19103  
Tel: 856-813-5500 Ext. 46245  
Fax: 856-813-5501  
Email: Melanie.Grimes@phelanhallinan.com

Dated: June 23, 2020

UNITED STATES BANKRUPTCY COURT <u>DISTRICT OF NEW JERSEY</u>	
<b>Caption in Compliance with D.N.J. LBR 9004-1(b)</b>	
838641 Phelan Hallinan Diamond & Jones, PC 1617 JFK Boulevard, Suite 1400 Philadelphia, PA 19103 856-813-5500 Attorneys for CALIBER HOME LOANS, INC.	
In Re:  Garan Dickson	Case No: 18-30619 - VFP  Hearing Date: 07/16/2020  Judge: Vincent F. Papalia  Chapter: 13

### **CERTIFICATION OF SERVICE**

1. I, Jason Seidman:

represent the \_\_\_\_\_ in the above-captioned matter.

am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC, who represents CALIBER HOME LOANS, INC. in the above captioned matter.

am the \_\_\_\_\_ in the above case and am representing myself.

2. On June 23, 2020 I sent a copy of the following pleadings and/or documents to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: June 23, 2020

/s/ Jason Seidman  
Jason Seidman

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Garan Dickson 88 Hillside Avenue, West Orange, NJ 07052-4507	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Nicholas Fitzgerald, Esquire 649 Newark Avenue Jersey City, NJ 07306	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
U.S. Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Marie-Ann Greenberg, Trustee Chapter 13 Standing Trustee 30 Two Bridges Road Suite 330 Fairfield, NJ 07004	Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.